



PUBLIC NOTICE

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February 8, 2022

DOMESTIC 214 APPLICATIONS GRANTED FOR THE TRANSFER OF SERVICE ELECTRIC TELEPHONE COMPANY, LLC

WC Docket Nos. 21-272, 21-444

By this Public Notice, the Wireline Competition Bureau grants two related applications filed by Service Electric Telephone Company, LLC (SET), Service Electric Cable T.V., Inc., (SECTV), and Ironton Telephone Company (ITC) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent for 1) ITC to acquire 100% control of SET, and 2) SET to transfer certain assets, including part of its customer base, to SECTV.¹

On December 8, 2021, the Bureau released a public notice seeking comment on the Applications.² No party filed comments in opposition to a grant of the Applications, and the Bureau finds, upon consideration of the record, that granting the Applications will serve the public interest, convenience, and necessity.³ Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. §

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Joint Application to Transfer Control of Service Electric Telephone Company, LLC to Ironton Telephone Company, WC Docket No. 21-272 (filed on June 16, 2021) (Ironton/SET Application). Applicants filed supplements to their application on July 1, 2021 and November 15, 2021. Letter from Elisabeth H. Ross, Counsel for Ironton Telephone Company and Service Electric Tel. Co., LLC, to Marlene H. Dortch, Secretary, FCC (July 1, 2021) (filed in WC Docket No. 21-272) (July 1 *Ex Parte* Letter); Letter from Michael P. Donahue, Counsel for Service Electric Cable T.V., Inc., to Marlene H. Dortch, Secretary, FCC (Nov. 15, 2021) (filed in WC Docket No. 21-272). Joint Application for the Transfer of Customers and Assets of Service Electric Telephone Company, LLC to Service Electric Cable T.V., Inc., WC Docket No. 21-444 (filed on Nov. 15, 2021) (SECTV/SET Application) (the Ironton/SET Application and the SECTV/SEC Application, together, the Applications). On February 4, 2022, Applicants filed a letter stating that "SET and SECTV have confirmed that current SET TDM residential customers have battery backup capability with the equipment and facilities provided with the current SET service and that there will be no change to this capability when a customer transfers to SECTV." Letter from Michael P. Donahue, Counsel for Service Electric Cable T.V., Inc., to Marlene Dortch, Secretary, FCC (Feb. 4, 2022) (filed in WC Docket Nos. 21-272, 21-444). Any action on these domestic section 214 applications is without prejudice to Commission action on other related, pending applications.

² *Domestic Section 214 Applications Filed for the Transfer of Control of Service Electric Telephone Company, LLC*, WC Docket Nos. 21-272, 21-444, Public Notice, DA 21-1526 (WCB 2021).

³ ITC, an incumbent local exchange carrier (LEC), currently owns a 50% interest in SET, a competitive LEC, and will acquire 100% control of SET post-transaction. Ironton/SET Application at 2, 5; SECTV/SET Application at 3. Both ITC and SET provide service in areas in Lehigh, Pennsylvania. ITC/SET Application at 9, 12-13; SECTV/SET Application at 8. The Commission has not found significant competitive harm in certain transactions involving the combination of providers. See, e.g., *Applications of Level 3*

1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

Domestic Section 214 Applications Filed for the Transfer of Service Electric Telephone Company, LLC, WC Docket Nos. 21-272, 21-444, Public Notice, DA 21-1526 (WCB 2021).

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809, Competition Policy Division, Wireline Competition Bureau.

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Communications, Inc. and CenturyLink, Inc. for Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, 32 FCC Rcd 9581, 9594, 9605, paras. 26 and 52 (2017) (finding no harm to competition in CenturyLink's incumbent LEC territory, nor outside of CenturyLink's incumbent LEC territory, where applicants operate as competitive LECs, and further finding that the transaction "will expand the on-net reach of the newly combined firm resulting in a more effective and stronger competitor against larger cable and incumbent LEC competitors, among others, particularly outside of Century Link's incumbent LEC region, where it, like Level 3, operates as a competitive LEC."); *Joint Applications of Telephone and Data Systems, Inc. and Chorus Communications, Ltd. For Authority to Transfer Control of Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 22, 63 and 90 of the Commission's Rules*, Memorandum Opinion and Order, 16 FCC Rcd 15293, 15296-99, para. 9-10 (CCB/WTB 2001) (authorizing a transfer of control involving an incumbent LEC and a competitive in-region provider of local exchange and exchange access services where overlap was limited and the transaction overall resulted in public interest benefits).